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C O N F I D E N T I A L SECTION 01 OF 02 KHARTOUM 001793

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DEPARTMENT FOR A/S FRAZER, S/E NATSIOS, AND AF/SPG
NSC FOR PITTMAN AND HUDSON
ADDIS ABABA FOR USAU

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TAGS: [PGOV](#) [PREL](#) [KPKO](#) [UN](#) [AU](#) [SU](#)
SUBJECT: MEDIA BATTLE ESCALATES WHILE NCP-SPLM NEGOTIATIONS
REMAIN STALLED

REF: KHARTOUM 1758

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Classified By: CDA Alberto Fernandez, for reasons 1.4 (b) and (d)

11. (C) Summary: The media battle between the NCP and the SPLM has intensified, with President Bashir mobilizing the Popular Defense Forces (septel) and rallying the "mujahadeen" at a mass rally south of Khartoum November 17, seemingly in response to SPLM Secretary General Pagan Amum's widely publicized comments that the SPLM is ready for war. Behind the scenes, the NCP and SPLM have stopped formal negotiations to resolve the political crisis but continue back-channel contacts. Salva Kiir will travel today directly to Juba for SPLM senior leadership meetings following consultations with former President Moi in Nairobi, without setting foot in Khartoum. End summary.

WAR OF WORDS

12. (C) The intensification of the war of words between the National Congress Party (NCP) and the Sudan People's Liberation Movement (SPLM) continued over the weekend (septel) with President Bashir rallying the Popular Defense Forces "not to wage war, but it is obvious that we should be ready." Bashir's incendiary remarks at the 18th anniversary PDF celebration in Wad Madani come on the heels of statements in the media by SPLM Secretary General Pagan Amum that the SPLM would be ready for war if necessary.

13. (C) The fact that Al-Bashir made his comments to the PDF, responsible for some of the worse depredations against Southern civilians and specifically raised on an Islamist/jihadist ethos in the heady first years of the NF/NCP regime, is a tremendous insult and grim reminder to the SPLM of the worse years of the Sudanese Civil War - mass murder, the kidnapping of women and children, famine, and the displacement and exile of hundreds of thousands of people.

SPLM LESS WILLING TO COMPROMISE ON ABYEI

14. (C) Despite the escalation in rhetoric, representatives of both sides say they are willing to negotiate. However, the SPLM is increasingly unwilling to back down on its demands

that the Comprehensive Peace Agreement (CPA) be implemented fully, including the Abyei Protocol, which says the report of the Abyei Boundary Commission (ABC) is binding. The NCP has frequently rejected the ABC report as having exceeded its mandate as written in the CPA (which says that the Commission should ascertain the 1905 boundaries of the Ngok Dinka kingdoms). In a November 18 meeting with emboffs, SPLM Deputy Secretary General for the Northern Sector Yasir Arman said that Abyei remains the sticking point in negotiations with the NCP, but said the SPLM will not accept mediation as a solution because it would compromise the CPA. Arman said the SPLM is more committed to the ABC report than ever before, "because it is more clear than ever before that the issue is about oil." Arman said he believes the ABC report is fair because it places some wells in the North, and some in the South.

15. (C) When asked about the general mood in the SPLM/A and whether the public sabre-rattling was also reflected behind the scenes, Arman reiterated his earlier references to the events that precipitated the creation of the SPLM, when then Major John Garang defected from the Sudanese Army amidst the failure of the Nimeiry regime to implement the Addis Ababa Agreement (reftel). Arman claimed that younger officers in the SPLA will not accept non-implementation of the CPA and said that Kiir must prove that he has a place in the Government of National Unity. "That is why one of our first points is that the President Bashir and the NCP must first consult with the SPLM before taking action on decisions."

16. (C) Arman confirmed that the six-member NCP-SPLM committee to resolve the current crisis had stopped meeting. He said that there have been no formal contacts between the two sides since talks broke down last week, but said he has been in contact behind the scenes to gather information about NCP positions.

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NCP CLAIMS THE SPLM IS AVOIDING ELECTIONS

17. (C) NCP insider and spokesman for the six-member talks Dirdieri Mohamed Ahmed Al Dukri told polchief November 17 that the NCP is relatively comfortable with its position and does not see any need for a return to war, despite the rhetoric. Dirediri claimed the SPLM is using the current political crisis as a way to avoid elections in 2009, pointing to the SPLM's abrupt change of policy regarding the draft electoral law which is now before the Joint Political Commission before being sent to the Council of Ministers. Dirdieri claimed the SPLM had always insisted on a greater percentage of seats in the parliament coming from direct rather than representative votes, but suddenly changed its position two months ago, which has stalled progress on what he claimed was an agreed-upon draft electoral document (Note: SPLM leaders claim that it is the NCP that is afraid of losing power in truly democratic elections). Dirdieri said the NCP's position regarding Abyei is that the 1905 border (along the Bahr al-Arab) is the only historical border that is well documented and that the ABC report is entirely baseless. He said the NCP is open to mediation because it is confident that once it has presented all of its documentation, the ABC opinion will be reversed. Dirdieri said there might not be a need for arbitration, suggesting instead that any impartial committee of judges from outside the region would see the merits of the NCP argument as consistent with the CPA.

NEXT STEPS

18. (C) Arman said the SPLM senior leadership will meet with Salva Kiir in Juba tomorrow to discuss their strategy for

resolving the current political crisis. Kiir was supposed to come back to Khartoum directly from Nairobi last night, but stopped for consultations with former Kenyan President Moi in Nairobi instead (Note: Moi is the Kenyan Special Envoy for Sudan.) According to Arman, Kiir's change of plans was due to President Bashir's rally with the PDF. Arman said Kiir would return to Khartoum after the meetings in Juba, but did not specify when this would happen.

COMMENT

19. (C) Our meetings with the SPLM and NCP show that, despite the rhetoric, in private both sides (at senior levels) are relatively calm and appear to be planning for the next steps in their negotiations. The Abyei issue remains intractable, however, and the risk is that real progress on other areas of the CPA will be thrown aside while the focus remains exclusively on this one thorny issue. This jeopardizes work on the elections law and other critical areas such as the redeployment of troops from border areas, two key issues that if implemented would keep the CPA on track while reducing the possibility of skirmishes between SAF and SPLM forces currently confronting each other. Without renewed and serious engagement, the combination of irresponsible rhetoric on both sides and an unintended clash by ill-disciplined troops led by aggressive junior officers could be explosive.
FERNANDEZ